

1 UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF GEORGIA  
3 ATLANTA DIVISION

4 Civil Action No. 1:17-cv-02989-AT

5  
6 DONNA CURLING, et al.,

7 Plaintiffs,

8 vs.

9 BRAD RAFFENSPERGER, et al.,

10 Defendants.

11  
12  
13  
14  
15 REMOTE VIDEOTAPED DEPOSITION OF  
JAMES A. BARNES, JR.

16  
17 Lakeland, Georgia  
18 Wednesday, July 20, 2022  
19  
20  
21  
22  
23  
24

25 Court Reporter: Michelle M. Boudreaux-Phillips, RPR

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1 THE VIDEOGRAPHER: We are on the record  
2 July 20th, 2022 at approximately 9:14 a.m.  
3 Eastern Time. This will be the videotaped  
4 deposition of James Barnes, Jr. Appearances  
5 today will be noted on the transcript.

6 Would the court reporter please swear in  
7 the witness.

8 JAMES A. BARNES, JR.,  
9 being first duly sworn, was examined and testified as  
10 follows:

11 EXAMINATION

12 BY MR. CROSS:

13 Q Good morning, Mr. Barnes.

14 A Good morning.

15 (Discussion off the written record.)

16 Q (By Mr. Cross) All right. Sorry,  
17 Mr. Barnes. We appreciate you taking the time to do  
18 this today. I'm sure you can think of a lot of better  
19 ways to spend your day than sitting in a deposition.  
20 You're here pursuant to a subpoena; is that right?

21 A Yes, that's correct.

22 Q Okay. Where are you physically located right  
23 now?

24 A I'm in Lakeland, Georgia.

25 Q All right. And are you at your home, an

1           A     Lanier County.

2           Q     Got it. So you -- just to make sure I have  
3     this right, so after you finished your master's program  
4     in 2018, you worked at Lanier County as a deputy clerk  
5     until March 2021. But during the same time, from  
6     November 2019 to around February 2021, you were also  
7     the assistant supervisor of elections; is that right?

8           A     That is correct. They sent me over to be  
9     able to help out with that, so I got certified as an  
10    election official.

11          Q     When did you get certified as an election  
12    official in Georgia?

13          A     That was in March 2020.

14          Q     What's involved -- or strike that.  
15                 What's required to get that certification?

16          A     You have to take a series of online courses  
17    and be able to pass tests after each one.

18          Q     And just generally, what do those courses  
19    cover, like what are you expected to learn for that  
20    certification?

21          A     A lot about cybersecurity, a lot about  
22    maintaining election security, and essentially how  
23    voter information is similar to HIPAA information and  
24    has to be secure.

25          Q     Sorry, you said similar -- voter information

1 Q And so April of 2021 is when you took over as  
2 the elections supervisor for Coffee County; is that  
3 right?

4 A That's correct.

5 Q When did you leave that job?

6 A Let's see. That would be December of 2021.

7 Q How did you get the position of elections  
8 supervisor in Coffee County? Did you apply for it?  
9 Did you go through some process? What was the process?

10 A Yeah, I applied, along with several other  
11 applicants.

12 Q How did you learn about the opening?

13 A Through other elections officials that I had  
14 known. It was well known amongst everybody that there  
15 was an open position there.

16 Q And how did that become known that there was  
17 an opening?

18 A Word just travels on BuzzFeed and all that.  
19 They post often for positions. It's a very common  
20 practice.

21 Q Okay. Did anyone recommend you for that  
22 position?

23 A I got a recommendation from my former  
24 supervisor.

25 Q In Lanier County?

1 so I would say we had about 10 or 15 people.

2 Q Ten to fifteen people who were responsible  
3 for -- some responsibility for administering and  
4 organizing elections in the county?

5 A Essentially just poll workers that actually  
6 went out with the polling equipment and conducted the  
7 election.

8 Q Okay. So 10 to 15 poll workers?

9 A Yes.

10 Q In -- I gather the number of poll workers  
11 employed in the county at any point changes based on  
12 the needs of the elections that are ongoing. Is that  
13 right?

14 A That's correct.

15 Q So a big year like a presidential election  
16 typically would have more poll workers than in an off  
17 year where you just have municipal elections?

18 A That's correct.

19 Q Are you -- were you involved at all in the  
20 process of hiring poll workers?

21 A Actually, I was lucky and quite a few of the  
22 very loyal old-school poll workers came back to work.

23 Q Did you have to hire anyone new?

24 A Well, the Board hired a new assistant for me.

25 Q What was that person's name?

1 A Sandy Grantham.

2 Q Can you spell Sandy's last name?

3 A It's G-R-A-N-T-H-A-M.

4 Q What was her role?

5 A Assistant supervisor.

6 Q So same role that you had at Lanier?

7 A That's correct.

8 Q What were her responsibilities?

9 A Essentially overseeing poll workers,  
10 answering phone calls, helping to input data into  
11 ElectionNet, filing, things of that nature.

12 Q Did she report to you?

13 A Yes, that's correct.

14 Q Did anyone other than Ms. Grantham report to  
15 you while you were at Coffee County?

16 A The poll workers.

17 Q Anyone else?

18 A No.

19 Q When the Board hired Ms. Grantham to work for  
20 you, were you involved in that decision?

21 A I was present, yes.

22 Q And did you have any views on her employment?  
23 Was it something you supported?

24 A I think she was a good enough applicant.

25 Q Okay. When the County hires employees like

1 Ms. Grantham or poll workers, what background checks  
2 are performed?

3 A They perform standard background checks.

4 Q And how are those performed? Is that  
5 something the County does itself or it hires a third  
6 party?

7 A That, I couldn't tell you.

8 Q Where was your office physically located in  
9 Coffee County?

10 A Right across from the courthouse.

11 Q What's the address?

12 A Geez. Honestly, I would have to look it up,  
13 to tell you the truth.

14 Q That's fine.

15 And was Ms. Grantham in the same physical  
16 office with you?

17 A Yes, that's correct.

18 Q Did poll workers have access to that office?

19 A Yes. We would let them in when it was time  
20 for an election.

21 Q Okay. Was there ever any election equipment  
22 or -- like the election server or other things, were  
23 those physically located in that office?

24 A Yes.

25 Q What all was located in that office with



1 respect to election equipment?

2 A All of the equipment.

3 Q Who all had keys to that office or -- well,  
4 let me take a step back.

5 MR. DELK: Can I just clarify for the  
6 record -- you keep saying "office." I don't  
7 want there to be any confusion about his  
8 office versus the building. If we could just  
9 clarify that for the record, please.

10 MR. CROSS: Sure, yeah.

11 Q (By Mr. Cross) So let's take a step back.  
12 The office where you and Ms. Grantham worked, I assume  
13 that was in some sort of building?

14 A Yes, that's correct.

15 Q Was there anything in that building other  
16 than the office, the physical office, that you and  
17 Ms. Grantham were in?

18 A Yes, naturally.

19 Q Okay. The election equipment that we've  
20 talked about, like the EMS server, the BMDs, the other  
21 things, were those stored in the same physical office  
22 that you and Ms. Grantham worked in or some other part  
23 of the building?

24 A No, they were not stored actually in the  
25 office.

1 Q Okay.

2 A They were behind locked doors.

3 Q Okay. Where in the building were those  
4 stored?

5 A The EMS server was actually in a separate  
6 room attached to my office that was kept locked, and  
7 the scanners and the BMDs and also the poll pads were  
8 kept in a climate-controlled room in the rear that was  
9 locked.

10 Q The rear of what?

11 A Well, when you walk in the building, that  
12 would be a whole section, whole wing to the office  
13 complex to the left.

14 Q So that was -- that was outside of the  
15 physical part of the building where your office and  
16 Ms. Grantham's office was?

17 A No. It's all one large complex; it's one big  
18 building.

19 Q Okay. What else was in that building besides  
20 the election office?

21 A There were no other offices there besides the  
22 elections office. It was strictly for elections and  
23 registration.

24 Q Okay. So the whole building was solely for  
25 the physical offices -- physical offices of those

1 administering elections in Coffee County; is that  
2 right?

3 A That's correct.

4 Q And the people with access to that building  
5 were you, Ms. Grantham, and poll workers?

6 A Yes, but the only people with keys to the  
7 actual building were Ms. Grantham and myself.

8 Q And so I was going to ask, the access to the  
9 building, was it a physical key?

10 A Yes.

11 Q It wasn't like a punch code or something like  
12 that?

13 A No, physical key.

14 Q And that was only you and Ms. Grantham?

15 A That's correct.

16 Q None of the election board members, for  
17 example, had keys?

18 A No. The only other person that had a key was  
19 actually the main Board of Commissioners office, just  
20 to have a key in spare.

21 Q And who had that key?

22 A That would have been with the County  
23 Administrator's office.

24 Q So who was responsible for securing that key?  
25 Someone in that office?

1       assume because some employees still had keys to it.

2           Q       Do you know whether it's required or  
3       customary practice, when an elections supervisor or an  
4       assistant supervisor turns over in a county, that the  
5       county rekeys locks to their election facilities?

6           A       I'm honestly not sure.   That's their security  
7       prerogative.

8           Q       When you say "their security prerogative,"  
9       who is "they"?

10          A       The county commissioners, I would assume.

11          Q       When you were an assistant elections  
12       supervisor in Lanier County, did they ever change any  
13       of the locks while you were there?

14          A       Well, actually, while I was there, the  
15       elections office went into a whole new building.   So,  
16       yes, all of the locks got changed.

17          Q       Apart from moving into a new building, in  
18       either the prior building or the new building, was  
19       there ever a point where they changed the locks?

20          A       Well, it moved into a new building when they  
21       got a new supervisor.

22          Q       Okay.   All right, I understand -- I just to  
23       make sure I understand.   Let's just break it down.

24                 When you worked in the original building, was  
25       there ever a point where Lanier County changed the

1           A     I would expect that it remained the same as  
2     when I turned it over.

3           Q     And that would be better for the incoming  
4     elections supervisor because then they'd have  
5     historical information [indiscernible]?

6           A     Absolutely, and also pertinent phone numbers.

7           Q     Okay. The elections supervisor immediately  
8     before you in Coffee County was Misty Hampton; is that  
9     right?

10          A     Yes.

11          Q     Do you know whether she used the same  
12     iPhone 13 that was given to you?

13          A     No. It was a new phone.

14          Q     Do you know what happened to hers?

15          A     The County still has it.

16          Q     Why did they get you a new one instead of  
17     giving you hers like Ms. Roberts getting yours?

18          A     Just felt that, you know, Apple has better  
19     security, and that one was actually quite an old phone.  
20     I believe it was a Samsung Galaxy S4.

21          Q     Did you ever get access to Ms. Hampton's work  
22     phone?

23          A     Yes. They kept it just in case there was  
24     anything useful.

25          Q     Where was it kept?

1 A It was kept in the elections office.

2 Q Where specifically?

3 A In a drawer in the front area next to where  
4 Sandy Grantham's office was. Or desk, rather.

5 Q So that was something you and Ms. Grantham  
6 had access to if you needed to look at historical data,  
7 historical information, and contacts?

8 A Yeah, that's correct.

9 Q Was that phone still there when you left?

10 A Yes.

11 Q How often did you or Ms. Grantham look at  
12 Ms. Hampton's phone?

13 A Not very often.

14 Q When you first took over and realized you  
15 were getting a new phone that wouldn't have that  
16 historical information, did you look at Ms. Hampton's  
17 phone at that point to try to bring yourself up to  
18 speed on contacts and other historical information?

19 A Yeah, I looked to see if there were any  
20 necessary contacts, but since I had worked in elections  
21 before, I already knew most of the people at the State  
22 that I would need to be in contact with.

23 Q So when you first came in, you sat down with  
24 her phone and flipped through it; is that fair?

25 A Yes.

1 A I don't know because I don't know her.

2 Q Okay. When you first got access to  
3 Ms. Hampton's phone, did you ask anyone why there was  
4 no email on it?

5 A No. I didn't really think to ask.

6 Q Well, when you left Coffee County, you wanted  
7 to make sure your emails were accessible for  
8 Ms. Roberts, right?

9 A Yes, that's correct.

10 Q And you thought that would be important for  
11 her because there's a lot of historical information in  
12 the emails, right?

13 A Yes, that's correct.

14 Q And you never had access to Ms. Hampton's  
15 emails at all is what you're saying?

16 A That's correct.

17 Q Did you ask anyone at Coffee County what  
18 happened to her emails when you came in?

19 A Well, I did ask about getting access to them.

20 Q Okay. Who did you ask?

21 A The county manager.

22 Q Who was that?

23 A Wesley Vickers.

24 Q So you came in, wanted access to  
25 Ms. Hampton's emails, you asked the county manager.

1 What was the response?

2 A He got back in touch with the guy that runs  
3 IT for Coffee County.

4 Q Who is that?

5 A I know his name was Charles. I can't  
6 remember his last name.

7 Q What happened there?

8 A He did try to go back and access them, but  
9 when he had deactivated her account, he didn't archive  
10 everything and apparently it was lost.

11 Q When was her account deactivated?

12 A I'm not sure. Basically, since they have a  
13 Coffee County network, anybody can log in with those  
14 credentials on any Coffee County computer, so they  
15 deactivated it.

16 Q So when you came in, you asked for access to  
17 Ms. Hampton's emails and you were told they no longer  
18 existed; is that right?

19 A Essentially, yes.

20 Q And that they had been lost when her account  
21 had been deactivated; do I understand that right?

22 A That's correct.

23 Q When you were in Lanier County as an  
24 assistant supervisor, I think you said they replaced  
25 the elections supervisor at some point. Is that right?



1 Q Who else had the log-in credentials?

2 A Just the people in our office.

3 Q So that's you, Ms. Grantham. Did poll  
4 workers? Were they allowed on the WiFi?

5 A No. There wasn't any reason for them to be  
6 on it.

7 Q So did anyone other than you and Ms. Grantham  
8 and the IT department have access to the Coffee County  
9 election office WiFi?

10 A No.

11 Q And just to be clear, you don't actually know  
12 whether Ms. Hampton primarily used the desktop or the  
13 laptop, you were assuming that; is that right?

14 A That's correct, because it was an older  
15 laptop.

16 Q Did you ever speak with Ms. Hampton?

17 A No. I've never met her before.

18 Q So you came into the office in April of 2021  
19 immediately after her. You didn't reach out to her to  
20 get some thoughts or insight or guidance on her  
21 experience?

22 A No.

23 Q Did anyone tell you not to do that?

24 A No, nobody told me not to.

25 Q Were you discouraged from that?

1 A No.

2 Q So you came into a -- the Coffee County  
3 elections supervisor role, you had no access to her  
4 email, her prior files, apart from a handful of things  
5 on the shared computer. You didn't -- you didn't think  
6 it would be useful to at least have a conversation with  
7 her about this new role?

8 A Well, to be fair, all of us in elections had  
9 already seen the YouTube video by that point, so I  
10 didn't figure it was really worth my time.

11 Q Okay. And just so we're clear we're talking  
12 about the same thing, describe the YouTube you're  
13 talking about.

14 A That was the YouTube video of her showing --  
15 loading ballots into the scanner and it having  
16 problems.

17 Q And that video was from December 2020; does  
18 that sound right?

19 A I'm not sure when the video was from. I just  
20 know that pretty much most of the elections offices had  
21 watched it by then, so it wasn't a secret or anything.

22 Q But this is a video that you saw between the  
23 November 2020 election and then taking over as the  
24 elections supervisor; is that the time frame?

25 A Yes.

1 Q So because of that video, you didn't think it  
2 would be useful or valuable or constructive to speak  
3 with her. Let me ask a better question.

4 A Well --

5 Q Yeah, let me -- sorry -- let me just ask a  
6 better question.

7 What was it about that video --

8 A Well, it wasn't just the video. The office  
9 was in a state of disorganization and disarray. And,  
10 honestly, it was a little bit difficult finding  
11 somebody to come in and take over for her because they  
12 understood they were going to be going into a mess, and  
13 that was never really hidden.

14 Q Why did you want to step into that?

15 A Well, because like I was told, it's an  
16 excellent opportunity because you know you've got  
17 nowhere to go but up, so...

18 Q I guess no one told you you might end up in a  
19 deposition some day?

20 A No, sir.

21 MR. CROSS: All right, why don't we --  
22 we've been going an hour. You want to take a  
23 short break?

24 THE WITNESS: It's up to you. We can  
25 keep going if you'd like.

1       for inquiry?" Do you see that?

2           A       Yes.

3           Q       And then Mr. Dial responds the same day that  
4       he was not told to preserve the emails and basically  
5       indicating they're gone, right?

6           A       Yes.

7           Q       Do you know what prompted Ms. Vickers' email  
8       on October 27 of 2021 to see if Ms. Hampton's emails  
9       were available?

10          A       I'm assuming it was because of an  
11       open-records request. But we had contacted him --  
12       well, she hadn't contacted him, but I had been in  
13       contact with him previously about the same thing, and  
14       he more or less told me that as well, that they were  
15       gone.

16          Q       Okay. So just to make sure I have the timing  
17       right, you came in in April 2021 and you immediately  
18       realized that her emails were not available?

19          A       Yes. We were going through the process of  
20       trying to find out who we needed to contact to get  
21       access to her emails and also be able to log in with  
22       her credentials on the computer and access that.

23          Q       And so when you came in, you couldn't get  
24       access to her emails or files on anything other than  
25       the few things that you found on the shared computer

1 connected to the backup server, right?

2 A That is correct.

3 Q Okay. And then in October of 2021, what's  
4 your understanding as to why Ms. Vickers was looking  
5 for Ms. Hampton's emails since it was known, from what  
6 you're telling us, that her emails were long gone?

7 A Well, I'm not entirely sure that Tracie knew  
8 that they were long gone; but, I mean, I did and, you  
9 know, the Board did.

10 Q When Mr. Dial indicates that he was not told  
11 to preserve the emails and he removed the Office 365  
12 license, did you ever discuss with Mr. Dial why he  
13 removed the Office 365 license for her?

14 A No. It was -- what I was basically told  
15 essentially -- Wesley was told this also -- is that,  
16 you know, when an employee leaves there, they  
17 deactivate their account because that's how they log in  
18 to the all the computers systems and all that.

19 Q Right, but I think we established earlier  
20 when you left, you made your that your emails were  
21 archived for Ms. Roberts, right?

22 A Yes, I did because I didn't want her to have  
23 to go through the same trouble that I did, not have any  
24 kind of context for anything that was going on.

25 Q Did you have access to any emails or files

1 it?

2 A Well, everybody at CES is essentially, like,  
3 IT for the Secretary of State's office, so they're all  
4 the computer-savvy guys. He was the one that built the  
5 election databases for me, ballot databases.

6 Q So do I understand correctly that the -- the  
7 password for an EMS server for the County, did that get  
8 set by the State when that server comes in?

9 A Yes, the State initially sets that up.

10 Q And your understanding is the County wouldn't  
11 then be able to change that password, that's something  
12 they'd have to work with the Secretary's office on?

13 A That was my understanding.

14 Q And is that the same for the ICC?

15 A Yes, that's my understanding of that as well.

16 Q Okay. So you said you would -- well, sorry,  
17 before we get to that, you mentioned earlier the  
18 video of Misty Hampton running ballots through a  
19 Coffee County scanner.

20 What was it about that video that led you to  
21 decide not to reach out to her once you became the  
22 elections supervisor?

23 A Well, all the equipment was completely  
24 functional and, you know, if you -- you're supposed to  
25 take those scanners and actually clean them every now

1           A     Logic and accuracy is not really about  
2     cybersecurity. They're supposed to be closed systems  
3     that are not networked out and supposed to be in a  
4     locked door with only minimal access to -- of a few  
5     people to them. So unless there's user error, there  
6     shouldn't be cybersecurity issues.

7           Q     And the testing that you did when you came  
8     in, you're talking about logic and accuracy testing,  
9     correct?

10          A     Yes, that's correct.

11          Q     In the time that you were at Coffee County,  
12     are you aware of any cybersecurity testing that was  
13     done on any of the election equipment there?

14          A     No, sir. When it comes to us, it's certified  
15     by the State.

16          Q     So you rely on the State for that; is that  
17     fair?

18          A     Yes.

19          Q     You mentioned earlier that you would  
20     participate in meetings with the Coffee County Election  
21     Board from time to time, right?

22          A     That's correct.

23          Q     How frequently was that?

24          A     The Board had a monthly meeting every month.

25          Q     And you participated in those meetings,

1 typically?

2 A Yes, sir.

3 Q What were those meetings -- what was the  
4 general purpose of those meetings?

5 A The general purpose of those meetings is  
6 updates on the status of the office and elections  
7 from -- from my part, and also them going over budget  
8 items or getting things that I've requested.

9 Q Were there regular reports that you provided  
10 to the board?

11 A Yes, that's correct.

12 Q Were those written reports or oral or both?

13 A They were typed reports and then I would  
14 also -- I would have the agenda, you know, and then I  
15 would also go over it verbally and also provide like  
16 the budget report.

17 Q And were those -- the written reports, were  
18 those maintained on your desktop?

19 A They should be on the desktop, but there's  
20 also a folder that has them all in it as well.

21 Q Like hard copy --

22 A And each one of the board members have a hard  
23 copy also.

24 Q Okay. When you say "a folder," you mean a  
25 hard-copy folder?



1 A Yes, that's correct.

2 Q Did you email them out as well?

3 A No.

4 Q And what was the general topics covered in  
5 your monthly report?

6 A Like I said, generally just the status of the  
7 office, you know, people coming in and getting voter ID  
8 cards, people applying for registration in Georgia's  
9 voter system, also expenditures and requests for  
10 various things. The office was a little old and out of  
11 date, so we were trying to update various things and  
12 I'd give them status updates on that.

13 Q Any security updates?

14 A No, but I did mention that it would probably  
15 be a good idea to get a, you know, keypad security  
16 system like ADT or something like that.

17 Q When did you suggest that?

18 A Fairly early on, because we had one of those  
19 in Lanier and it was beneficial.

20 Q Why is that beneficial?

21 A Because that way if somebody tries to gain  
22 access to the office, it will immediately call whoever  
23 is on the list to call and also starts police on the  
24 way there unless you stop it.

25 Q Did the Coffee County election office, while

1 you were there, have any sort of security system?

2 A No. That was why I was bringing that up.

3 Q Was that implemented while you were there?

4 A No. It was my understanding that they were  
5 trying to wait until the new fiscal year to do that.

6 Q Do you know whether it was ever implemented?

7 A I'm not sure.

8 Q In the time that you were the Coffee County  
9 elections supervisor, did you meet with -- beyond just  
10 the meetings with the Coffee County board, did you meet  
11 with any other election officials at the county or  
12 state level as part of your responsibilities?

13 A Well, naturally, I met with other elections  
14 officials when I would go to the regional meetings.  
15 Usually had one of those once a month or once every  
16 couple of months.

17 Q And what are the regional meetings?

18 A That was the ones I was talking about, the  
19 regional-level meetings in Valdosta. Usually everybody  
20 in that area that was an elections supervisor would  
21 come to those. And sometimes we'd get briefings from  
22 the Secretary of State's office there as well.

23 Q Did you ever hear any concerns at any of  
24 these regional meetings from other election officials  
25 about the BMD system?

1 A No.

2 Q Did you ever have any briefings at those  
3 meetings from the Secretary of State or otherwise on  
4 security of the system?

5 A No. Mostly it was -- there's one tab on  
6 there that's a secure tab. We were always told that if  
7 you mess up and take that off, it immediately has to  
8 get sent back to CES.

9 Q Secure tab is on what?

10 A The ballot-marking device.

11 Q Is that a physical tab?

12 A Yes, that's correct.

13 Q Are you talking about the seals that go on  
14 there?

15 A It's a -- it's a braided metal and then  
16 clamped in plastic seal.

17 Q Right. And so if that seal is broken or  
18 missing, the machine is supposed to go back to CES?

19 A That's correct.

20 Q Why is that?

21 A Because then it would pose a security hazard.

22 Q How so?

23 A I'm not entirely sure. That's just what I  
24 was told.

25 Q So if any of the seals -- these security

1 seals, if any of the security seals that are on a BMD  
2 are broken or missing, you're not supposed to use it in  
3 an actual election; is that fair?

4 A Yes, if that seal from the State is broken,  
5 you're not supposed to use it.

6 Q Are there any seals on the BMDs apart from  
7 the ones from the State?

8 A There's the ones that we put on there.

9 Q Why does the County put its own seals?

10 A Because there's certain things you have to  
11 do. Like, to be able to upload the election data for  
12 the individual election on there, you have to put it in  
13 through a USB thumb drive, and then we put a plastic  
14 seal on there again just to be able to check -- every  
15 single day when we open and close polls, we check those  
16 to make sure that no civilian person has come in there  
17 and tampered with it.

18 Q And presumably, if you come in the next day  
19 and one of those county seals is broken or missing, you  
20 wouldn't use that in an actual election either, right?

21 A That's correct.

22 Q The state seal that goes on the BMDs, those  
23 have numbers that are registered with the Secretary of  
24 State's office, right?

25 A That's correct.

1 Q Is that true for the county seals too?

2 A No, but the county seals, we write those down  
3 on state documentation, and we have to turn that in  
4 with all the other election materials at the end.

5 Q So the Secretary of State's office, or at  
6 least CES, would have a list of the numbers for both  
7 the state seals and the county seals on each machine,  
8 right?

9 A That's correct.

10 Q Did you have any meetings with anyone from  
11 the Secretary of State's office while you were in  
12 Coffee County as the elections supervisor?

13 A Yes. I met with them at the regional  
14 meetings, of course, and then occasionally state  
15 investigators would be in contact about old cases and  
16 things.

17 Q And what kind of cases did you hear from the  
18 state investigators on?

19 A Mostly just older ones from 2018 and '19.  
20 They apparently had quite the backlog.

21 Q What did those cases involve, just generally?

22 A Generally, just inquiring about voters being  
23 registered properly or living out of state or the --  
24 the general run-of-the-mill.

25 Q Any election security issues that were

1 investigated?

2 A I was never -- I never talked to anybody  
3 about any election security issues, no.

4 Q Did you hear from state investigators  
5 involving any -- about any investigation related to the  
6 time that Misty Hampton was there?

7 A Yes, I was.

8 Q Who contacted you?

9 A Let's see. Well, I kind of get them mixed up  
10 because I was contacted by quite a bit of investigators  
11 throughout the course. But, let's see, Josh Blanchard,  
12 Mr. Paris -- I can't remember his first name -- Robert  
13 Hernandez.

14 Q Any other names come to mind?

15 A No, not other than that.

16 Q And those were state investigators who  
17 contacted you about some investigation that involved  
18 Coffee County during the period Misty Hampton was the  
19 elections supervisor?

20 A Well, they contacted me, yes. She would have  
21 been the supervisor back in 2018, so that's correct.

22 Q And so did any state investigator contact you  
23 about an investigation involving events that happened  
24 in, say, late 2020 to 2021?

25 A I don't remember anybody contacting me about

1 that. But like I said, since they had a backlog, they  
2 may not have gotten to it yet while I was there.

3 Q So all the investigations you recall being  
4 contacted about were 2018 or 2019 or maybe earlier?

5 A Yes, sir.

6 Q Did you ever have any communications with  
7 anyone from the Secretary's office outside of the  
8 regional meetings and outside of these  
9 investigations -- these three investigators you  
10 mentioned?

11 A No, sir, other than contacting CES and, you  
12 know, I emailed Chris Harvey. Actually, I emailed most  
13 of the people in the Secretary of State's office at  
14 various points for different things, especially for  
15 election materials to get replenished.

16 Q We'll come back to that in a little bit.

17 Did you ever have any communications with  
18 anyone with Dominion while you were there?

19 A The -- Dominion did send us out some emails.

20 Q Who did you email with at Dominion?

21 A I wasn't emailing anybody. Dominion just  
22 sent out some, like, broad emails to elections  
23 officials.

24 Q So you never sent any emails yourself to  
25 anyone at Dominion?

1           A     No.   There wasn't any reason to.   CES handles  
2     our issues.

3           Q     You never had a phone call with anyone at  
4     Dominion?

5           A     No, not that I recall.   Mostly, like I said,  
6     I contact the State on that.

7           Q     Did you ever have any communications with any  
8     Dominion techs, folks who come out and help with the  
9     equipment and machines?

10          A     No, we didn't have a Dominion tech assigned  
11     to us.

12          Q     So any time you have an issue, performance  
13     and operation issue with any of the election equipment,  
14     you go to CES for that?

15          A     Yes, that's correct.

16          Q     Was that the same in Lanier?

17          A     Yes, that's correct.

18          Q     Why did you leave the elections supervisor  
19     position in December 2021?

20          A     Essentially, I got offered a job that's right  
21     down the road from where I live with a little bit  
22     better pay and I'm able to be closer to the kids.   If  
23     one of them gets sick in daycare or something, I can  
24     just swing down there and grab them.   So convenience,  
25     really.



1           Q     Was there anything else said to you during  
2     the hiring process about Ms. Hampton?

3           A     No.

4           Q     Once you took over as elections supervisor,  
5     was there ever any discussion between you and anyone  
6     else in the County about Ms. Hampton and the YouTube  
7     video that you mentioned?

8           A     No, not really.

9           Q     So no one on the Board, no one in the County  
10    ever came to you and said, "We have concerns about what  
11    Ms. Hampton did in that video and let's talk about it"?

12          A     Essentially, the main thing was everybody was  
13    focused on trying to move forward and just get the  
14    office up to speed. Quite frankly, there was a lot to  
15    do.

16          Q     Did you learn that in that video Ms. Hampton  
17    had a password that was readable posted on her desk or  
18    on her screen?

19          A     Yeah, I actually did see the Post-it note.

20          Q     Was there ever any discussion, once you came  
21    in as the elections supervisor, about that's not a good  
22    practice, you shouldn't be doing that, any concerns  
23    about that?

24          A     Oh, well, absolutely that's not best practice  
25    to be putting your password around like that. That's

1 not something I do.

2 Q Right, but more specifically, was there any  
3 discussion that you were in about the fact that  
4 Ms. Hampton had done that and whether that posed any  
5 security risk for Coffee County's election system?

6 A No, I didn't have a conversation about that  
7 with anybody. I just didn't do that.

8 Q Sorry, you may have said this earlier. You  
9 never had any communications, written or oral, in  
10 person, with Ms. Hampton ever; is that right?

11 A That's correct.

12 Q You've never met her?

13 A No.

14 Q Did she have an assistant elections  
15 supervisor?

16 A That's correct.

17 Q Was that --

18 A Jil Riddlehoover.

19 Q Right, that was Ms. Riddlehoover?

20 A Yes.

21 Q So when you came in, it was new staff in the  
22 Coffee County office, right?

23 A Yes, that's correct.

24 Q But you said some of the poll -- or actually  
25 a lot of the poll workers had been folks who had worked

1 in the county before, right?

2 A That's correct.

3 Q Did you ever have any communications with any  
4 of the poll workers about their experience working with  
5 Ms. Hampton?

6 A Essentially, they had just said that she  
7 wasn't very hands-on, so they were kind of left on  
8 their own.

9 Q Any other communications with poll workers  
10 about their experience with Ms. Hampton?

11 A Not really, no.

12 Q None of the poll workers came in and said,  
13 "Hey, I saw this video. It's pretty crazy. What do  
14 you think"?

15 A Well, they didn't like the fact that, you  
16 know, Coffee County got drug into national news  
17 coverage. I don't think anybody would. I mean, we're  
18 a small town in south Georgia here.

19 Q Right.

20 Did any of the poll workers express any  
21 concern about the reliability of the voting system or  
22 the office there in light of that video?

23 A No, everybody seemed to like the system okay,  
24 and one of the main things is just making sure that  
25 they had adequate training and they were comfortable

1 with the system.

2 Q And the poll worker training, is that  
3 provided by the State or by you guys, by the County?

4 A Poll worker training is provided by the  
5 County, but generally speaking, I try to look at how  
6 some of the bigger, more successful offices do theirs  
7 and mirror that.

8 Q Have you ever met Ms. Riddlehoover?

9 A No.

10 Q Ever spoken with her?

11 A No.

12 Q No emails, text messages, phone calls, no  
13 contact with her at all?

14 A No contact whatsoever.

15 Q And did you decide not to contact her for the  
16 same sort of reasons you decided not to contact  
17 Ms. Hampton?

18 A That's correct.

19 Q When you came in, had Ms. Hampton left you  
20 like a note, instructions, anything directed to you?

21 A No.

22 Q And Ms. Riddlehoover did not either?

23 A That's correct. It was my understanding that  
24 they had left in February, and I came in in April,  
25 so...

1 A That's correct, I didn't have any.

2 Q So your first experience as an election  
3 official with the BMD system -- sorry, I think I  
4 misspoke. I think I said the of pilots of the DREs. I  
5 meant the pilots of the BMDs. Let me ask a new  
6 question.

7 Your first experience as an election official  
8 with the BMD system would have been in 2020 in  
9 Lanier?

10 A That's correct. It would have been the  
11 presidential preference primary.

12 Q And I assume you heard about a lot of the  
13 challenges that a lot of the counties had across the  
14 state with that new system, particularly the June  
15 presidential primary. Do you remember that?

16 A Yes, I remember that.

17 Q And when you were the assistant elections  
18 supervisor in Lanier County, did you guys experience  
19 some of the similar challenges with the new system?

20 MR. DENTON: Object to the form.

21 THE WITNESS: I don't recall ever having  
22 any issues with the system.

23 Q (By Mr. Cross) How many voters are there  
24 typically in Lanier?

25 A Let's see. About 6500.

1 any other option, at which point you would still let  
2 the State know that a tornado came through and knocked  
3 everything out.

4 Q So fair to say in Georgia, the State  
5 determines the means of voting across the state?

6 A That is correct.

7 Q And that's the Secretary of State's office,  
8 right?

9 A Yes.

10 Q Have you ever been in a situation as an  
11 election official where hand-marked paper ballots were  
12 used to vote in person, not absentee?

13 A Provisional ballots mostly. Never had an  
14 emergency ballot situation.

15 Q When you were the elections supervisor in  
16 Coffee County, about how many voters, just  
17 percentage-wise, voted absentee versus in person? How  
18 did the numbers break down?

19 A Actually, it was quite a relatively small  
20 number that voted absentee compared to in person.

21 Q What about Lanier?

22 A Same thing in Lanier, most people wanted to  
23 come in person.

24 Q Again, you guys have the benefit of not  
25 running into long lines there, right, in Lanier and

1 Coffee?

2 A Yeah, and plus it's kind of an event where,  
3 you know, "Hey, there's Joe's mother's brother's  
4 cousin," you know, so...

5 Q In smaller counties, people tend to know each  
6 other, smaller communities?

7 A Yeah. Yeah, and it gives everybody a chance  
8 to be nosy about who's out and about.

9 Q Is it -- in your experience, is it fair to  
10 say that that's -- that tends to be important to  
11 voters, to be able to show up at the polls and vote in  
12 person?

13 A Oh, yeah, absolutely.

14 Q Why is that?

15 A Well, a lot of people just say that they just  
16 want to make sure that, you know, they're casting their  
17 ballot in person and they know what happened. I think  
18 it just makes a lot of people more comfortable,  
19 especially the older folks.

20 Q And fair to say that for lot of people, it's  
21 important to be part of that democratic process, right,  
22 being there in person?

23 A Oh, yeah. I think the participation and  
24 getting the sticker is a big part of that.

25 Q Have you ever discussed any election security

1 concerns with the Coffee County board, election board?

2 A Other than just making sure that, you know,  
3 all the equipment is secured properly and stored  
4 properly with climate control. And then also, of  
5 course, I brought up the server issue because, you  
6 know, I couldn't get into that and we had an upcoming  
7 election.

8 Q Right, and we'll come to that.

9 Any other -- any other election security  
10 issues you discussed with the State?

11 A No. Well, now, are you talking about the  
12 State or Coffee County? Because initially you said  
13 Coffee County.

14 Q Oh, yeah. I'm sorry. I mean with  
15 Coffee County. I'm just focusing on that. Nothing  
16 else with Coffee County beyond what you identified?

17 A Correct.

18 Q Okay. And did you ever discuss any election  
19 security issues, while you were with Coffee County,  
20 with the State?

21 A Yes. The server issues.

22 Q Okay. And that was when you could not get  
23 access to the EMS server?

24 A That's correct.

25 Q And that included the ICC too, right?



1 A Yes, that's correct.

2 Q Any other equipment, as part of the election  
3 system in Coffee County, you did not have access to  
4 that you --

5 A No.

6 Q -- raised with the State?

7 A No, I didn't have any other issues.

8 Q All right, we'll come back to that.

9 Did you ever get any communications from  
10 anyone on behalf of the State about election security  
11 concerns?

12 A Well, we commonly get little memos and all.  
13 And, you know, of course, most of the time we're  
14 involved with CISA, and they give out cybersecurity  
15 bulletins. And then like I said, of course, the  
16 Dominion Voting kind of blast-out to everybody's email  
17 just warning about third-party people trying to gain  
18 access.

19 Q And CISA, you're talking about the  
20 cybersecurity/infrastructure agency that's part of DHS,  
21 the federal level?

22 A Yes, that's correct. And they also have like  
23 a [indiscernible] for elections that gives out  
24 elections bulletins to everybody.

25 Q And so do I understand right, in your

1 experience in Coffee County and Lanier, the Counties  
2 look both to the State and to the federal agency to  
3 provide guidance on election security?

4 A That's correct.

5 Q Were you aware that in July of 2021, there  
6 was an election security expert named Alex Halderman  
7 who did a security analysis of Dominion voting  
8 equipment from Fulton County?

9 A No, I was not aware of that.

10 Q Is that something you've ever heard before  
11 now?

12 A No.

13 Q So that wasn't something that was conveyed to  
14 you when you were the elections supervisor in  
15 Coffee County?

16 A No. I don't recall that.

17 Q Never read any press around that?

18 A No.

19 Q So no one from the State ever reached out,  
20 for example, and said, "Hey, there's -- we have this  
21 100-page report from an election security expert that's  
22 identified a lot of security vulnerabilities with the  
23 Dominion voting equipment used in Georgia"?

24 A I don't recall any emails of that nature.

25 Q If those types of vulnerabilities existed, if

1 the counties, instead had to wait for CISA to do it  
2 almost a year later?

3 MR. DENTON: Object to form.

4 THE WITNESS: Well, it doesn't surprise  
5 me because I assume that they had their  
6 reasons for it. I don't know what that is,  
7 but since I don't have all the knowledge, I  
8 would only be speculating at this point.

9 Q (By Mr. Cross) So as a county elections  
10 supervisor, you trust the State to determine election  
11 security across the state, fair?

12 A That's correct.

13 Q All right. So when you came in to  
14 Coffee County, at some point you tried to access the  
15 EMS server and you couldn't access it, right?

16 A That's correct.

17 Q When did that happen?

18 A That would have been towards the end of  
19 April, I believe, and I contacted CES about that and  
20 described the problem to them, and they said that they  
21 would be down next week to check it out. Initially,  
22 there was the assumption that maybe I had fat-fingered  
23 in the 16-digit-long password.

24 Q And the 16-digit password was one that was  
25 provided by the State; is that right?

1 A That's correct.

2 Q And why was it that you didn't try to access  
3 the EMS server or the ICC until a few weeks after you  
4 arrived?

5 A Because there wasn't an election for a while  
6 out, so there wasn't really any need to. And there was  
7 quite a bit of other work to do, also, catching up on  
8 voter registrations and things like that.

9 Q So you didn't try to access the EMS server or  
10 the ICC with the password you had until a need arose  
11 with an upcoming election?

12 A That's correct.

13 Q Where did you get the 16-digit password that  
14 you were trying to use?

15 A Initially, that was the same one that had  
16 gotten left there by Ms. Hampton. And I called CES up  
17 to make sure that that was, in fact, the correct  
18 password, they verified that that should be the correct  
19 password, and when I tried it several times and it  
20 didn't work, they said that they would come down and  
21 take a look.

22 Q You said it was left by Ms. Hampton. Where  
23 did you find it?

24 A It was still up there attached to the  
25 computer screen.

1 Q On the Post-it note?

2 A Yeah.

3 Q Okay. And how did you confirm with CES that  
4 that was the password that they had provided initially?

5 A By calling up there to the CES office.

6 Q So you called someone at CES, you read the  
7 16-digit password, they said, "Yeah, that's the one  
8 that we have for this equipment," and you pointed out  
9 it didn't work?

10 A That's correct.

11 Q Was the 16-digit password in Coffee County  
12 the same one that you used for the EMS or ICC in  
13 Lanier?

14 A No.

15 Q So Lanier had a different password?

16 A That's correct.

17 Q Also 16-digit?

18 A Yeah, they're all the 16-digit,  
19 Google-generated type passwords.

20 Q Okay. And they're all provided by the State?

21 A That's correct.

22 Q What did CES say when you contacted them and  
23 said the password doesn't work?

24 A Like I said, they tried to go back through it  
25 several times with me and just make sure that I

1 wasn't -- it wasn't a user error on my part. And then  
2 when it continued not to work, they said that they  
3 would come down and take a look at it the following  
4 week.

5 Q Do you recall who specifically you spoke with  
6 at CES?

7 A I believe it was Prateek Patel that I spoke  
8 to because, like I said, I know him better than most  
9 since he builds my ballot databases.

10 Q Sorry, give me the name one more time.

11 A Prateek Patel.

12 Q Patel is P-A-T-E-L?

13 A Yes, that's correct.

14 Q And this was sometime in late April of 2021?

15 A Yes, I believe that's correct.

16 Q Did you ask or was there any discussion with  
17 him or anyone else at the Secretary's office about why  
18 the password wasn't working?

19 A Well, when he came down, he brought another  
20 gentleman with him named Chris. I'm not sure about his  
21 last name. I just know he works at CES. And initially  
22 they -- you know, first thing he did was try that  
23 password just to see if it worked, because in the past  
24 people have just messed it up and not done it right.  
25 And they didn't know why the password had been changed,

1 said that it shouldn't have been able to be changed,  
2 and that's basically where that stood. So I have no  
3 idea why or how.

4 Q But they -- Mr. Patel came in and someone  
5 else named Chris, both from CES, right?

6 A Yes, that's correct.

7 Q And they looked at the ICC and the EMS server  
8 and their assumption was that somebody had changed the  
9 password?

10 A I'm not sure, actually. They just seemed  
11 surprised to me because, like he said, they're not  
12 supposed to be able to change it. So I'm not sure that  
13 they knew exactly what had happened --

14 Q Got it.

15 A -- at that juncture.

16 Q All they could tell was the password didn't  
17 work?

18 A Yes, that's correct.

19 Q And they explained that people at the county  
20 level aren't supposed to have administrative rights to  
21 change a password?

22 A Yes, that's correct.

23 Q So what happened next?

24 A After that, I was told that they were going  
25 to have to replace the server and take it back to CES,

1 try to gain access to it. They tried to move over as  
2 much as they could kind of back-door style, but it was  
3 impossible to retrieve all the data at that time.

4 Q When you say -- sorry, the last thing you  
5 said, retrieve data, what were you talking about?

6 A All the election files that are stored there  
7 on the server, they were unable to retrieve all of that  
8 simply based on the nature of it being in lock-down.

9 Q They were -- was CES able to retrieve any  
10 files or data from the EMS server?

11 A I don't know if they ever were or not, but at  
12 that point in time, they were unable to retrieve it.

13 Q What about the ICC, did they ever get access  
14 to that?

15 A I'm not sure, to tell you the truth.

16 Q How soon after Mr. Patel came in and  
17 confirmed the password didn't work did the State take  
18 the ICC and the server?

19 A That was the same day. They just had an  
20 extra one with them, just depending on whatever the  
21 problem might be, just in case.

22 Q So you contacted Mr. Patel in late April of  
23 2021, right?

24 A Yes.

25 Q And that was a phone call?



1 A Yes, that's correct.

2 Q Did you email anyone about this?

3 A No.

4 Q Did you contact Chris Harvey or anyone else  
5 beyond Mr. Patel about not having access?

6 A No, I didn't contact anybody else about not  
7 having access.

8 Q So Mr. Patel was the only person you ever  
9 spoke with or emailed or communicated with about not  
10 having access to the ICC and the EMS server?

11 A That's right.

12 MR. DENTON: Object to form.

13 Q (By Mr. Cross) I'm sorry, did you say that's  
14 right?

15 A Yes.

16 Q Okay. How quickly after you called Mr. Patel  
17 did he arrive?

18 A It was about like what they said; it was  
19 about a week before the two people from CES came.

20 Q It was a week after you called them?

21 A Yeah, roughly. It was probably the next  
22 week.

23 Q Okay. And when they came, they had with them  
24 a replacement server and a replacement ICC?

25 A Yes, that's correct.

1 Q And they replaced them on the spot?

2 A That's correct.

3 Q Did they replace anything else besides the  
4 EMS server and the ICC?

5 A No.

6 Q In the room where the EMS server is, is there  
7 a computer that's connected directly to that server?

8 A The ICC and the EMS are both networked  
9 together, but there's no other equipment.

10 Q But if you want to -- when you go to log in  
11 to the EMS server, there's a keyboard and a screen that  
12 you're trying to log in on, right?

13 A Yes, that's correct.

14 Q Does that sit in the room with the EMS  
15 server?

16 A Yes, the screen and keyboard are in there for  
17 each one of those.

18 Q Okay. And the screen and keyboard, when  
19 you're trying to log in to the EMS server, are those  
20 hardwired into the server or they're connected to a  
21 separate computer terminal of some sort?

22 MR. DENTON: Object to form.

23 THE WITNESS: Each one of them is  
24 connected to the computer terminal that  
25 you're using.

1 Q (By Mr. Cross) Okay, so when Mr. Patel came  
2 and replaced the EMS server, did he replace the  
3 keyboard, the screen, any computer terminal, any wires,  
4 any other equipment, or was it just the server that got  
5 replaced?

6 A I don't recall anything else being replaced.

7 Q Beyond the server?

8 A That's correct.

9 Q And same with the ICC, the only thing they  
10 replaced was the ICC itself, no other peripherals or  
11 anything attached to it?

12 A As far as I know, that's correct.

13 Q Were you there with them when they were  
14 replacing the equipment?

15 A Yes, I was there with them for the majority  
16 of that time. I was doing other work.

17 Q Okay. So they left, took the ICC and the  
18 server with them, and you don't know one way or the  
19 other whether anyone ever got access to the data or the  
20 files on the --

21 A That's correct.

22 Q What's your understanding of where the new  
23 server and ICC came from that they brought that day?

24 A I would assume it came from their main office  
25 in Marietta, but I'm not sure.

1 anything may or may not be. It's my job to  
2 report a problem if I have one, which I did.

3 Q (By Mr. Cross) And did you contact -- so you  
4 didn't contact -- you didn't think this warranted  
5 communicating to law enforcement, for example, like the  
6 GBI?

7 A No. It's simply I couldn't get into it, they  
8 came and replaced it and fixed it for me. That was  
9 that.

10 Q Were you concerned that the fact that the  
11 password never -- no longer worked, that maybe that was  
12 an indication that someone had done something they  
13 weren't supposed to do on that server and on the ICC?

14 A Like I said, I don't get paid to speculate  
15 and investigate. That's why the State has  
16 investigators.

17 Q So from your perspective, you walked in, the  
18 password didn't work, you did what you were supposed to  
19 do, contacted the State, and you left it for them to  
20 investigate and figure out if there was a bigger issue?

21 A That's correct.

22 Q And did you ever hear from anyone at the  
23 State again about this particular issue, that the  
24 password didn't work and they had to replace these two  
25 pieces of equipment?

1 MR. DENTON: Object to form.

2 THE WITNESS: No, I did not, but it's  
3 not unusual for the State not to follow back  
4 up with us. I mean, there's 159 counties.  
5 They'd have to have more employees to follow  
6 up with everybody on everything, I'm sure.

7 Q (By Mr. Cross) But we're talking about a  
8 county where the elections supervisor reportedly had  
9 been asked to leave for not being honest with time  
10 records, where she put up a video that had the original  
11 password for this machine publicly accessible, and then  
12 the password didn't work when you showed up and all her  
13 emails were gone. That doesn't strike you as sort of  
14 circumstances where somebody might want to dig a little  
15 deeper beyond just replacing the equipment?

16 A Well, like I said, I'm not paid to be an  
17 investigator. I'm paid to be an elections supervisor.  
18 And normally my follow-up is if I get an invitation to  
19 a State Election Board case.

20 Q But you said it doesn't surprise you  
21 initially they didn't follow up because they're busy  
22 and they have lots of things, but we're not talking  
23 about an ordinary situation here, right? We agree on  
24 that, this is not an ordinary situation?

25 A Well --

1 MR. DENTON: Object to form.

2 A -- here's the thing, they investigate all of  
3 these things. And usually I hear back about it because  
4 there will or there will not an SEB case on it. So  
5 it's not unusual for me not to hear back from them  
6 unless it's because it's going to the State Board.  
7 That's not unusual for anybody, as far as I know.

8 Q But as you sit here today, you don't -- you  
9 never got any indication from anyone at the State,  
10 Secretary's office, or the SEB, that any investigation  
11 was conducted into why the password wasn't working,  
12 right?

13 MR. DENTON: Object to form.

14 THE WITNESS: I have no idea whether  
15 there was an investigation or not, and I  
16 don't -- I don't get SEB case updates  
17 anymore, so I have no idea if there's one  
18 ongoing right now or not.

19 Q (By Mr. Cross) Is there anyone else you  
20 communicated with about this password issue?

21 A No.

22 Q For example, did you reach out to former  
23 colleagues in Lanier that you were close with or  
24 Mr. Vickers?

25 A Oh, well, I did -- I did reach out to Josh

1 about it because I was a little confused on why it  
2 would happen and all. But he said, you know, just  
3 contact about CES about it because that's the best  
4 thing to do, you know.

5 Q So you contacted Josh Black before you  
6 contacted CES?

7 A No. I contacted CES already because I knew  
8 that was what I was supposed to. I just mentioned it  
9 to him in passing because it was odd.

10 Q I see. Okay. And what all did you discuss  
11 with Mr. Black?

12 A Essentially just that I had an issue getting  
13 into the server and, you know, had to have our servers  
14 replaced.

15 Q And all he said was deal with CES? Did he  
16 offer any other views or opinions or concerns?

17 A No, he didn't have anything else to offer.

18 Q But he agreed it was odd, right?

19 A I don't know if that happens on a regular  
20 basis or not, but all I know is I didn't know how to  
21 access the -- change a password, and I don't know  
22 anybody else that knew how to.

23 Q Anyone else you communicated about this? You  
24 didn't initially remember Mr. Black. Is there anyone  
25 else you can think of?

1           A     Not to my knowledge, and that was more  
2     because it was an odd election event and, you know, we  
3     tend to talk amongst ourselves.

4           Q     Did you communicate with Mr. Vickers about  
5     it?

6           A     I don't recall if I talked to Wesley Vickers  
7     about it or not. Usually I let him know if it's  
8     something bigger.

9           Q     When they provided the new ICC and new EMS  
10    server, did the State give you a new password?

11          A     Yes, that's correct.

12          Q     And it was another 16-digit password?

13          A     Yeah. It was a different 16-digit password.

14          Q     And what's the guidance from the Secretary's  
15    office on how you're supposed to maintain that  
16    password?

17          A     Well, they said that we're not supposed to  
18    put it on Post-it notes and things like that. I mean,  
19    you're supposed to keep it secure.

20          Q     Right. Is there specific guidance on how to  
21    secure it, like where you should maintain it, where you  
22    should keep it, where you should store it?

23          A     No. You're not -- you're just not supposed  
24    to keep it out in a public place, anything like that,  
25    where anybody else can access it.



1 Q Where did you keep it so that you could  
2 remember it? That's a long number to keep up with.

3 A Yeah, that's a fairly long number. Yeah, I  
4 kept it on my person.

5 Q When you say on your person, what do you  
6 mean?

7 A I mean whenever it's election time, I kept it  
8 on my person. Otherwise, I kept it locked up when it's  
9 not election.

10 Q And so -- and how did you keep it locked up?  
11 It was, like, written down on a piece of paper?

12 A Filing cabinet.

13 Q Filing cabinet in your office?

14 A (No audible response.)

15 Q I'm sorry, did you say yes?

16 A Yes, that's correct.

17 Q And was it written -- like, what was it  
18 written on?

19 A I just had it written on a small piece of  
20 paper.

21 Q And that was locked in a filing cabinet in  
22 your office?

23 A Yes, that's correct. And my office was  
24 always locked as well.

25 Q Who had access to the filing cabinet, just

1       you and Ms. --

2               A       Nobody but me.

3               Q       Ms. Grantham did not?

4               A       No.

5               Q       And that was a key that you kept with you?

6               A       Yes, that's correct.

7               Q       And then when elections were going on, you  
8       would keep that piece of paper with you just for easy  
9       access?

10              A       Just whenever I had to type something in, I  
11       kept it on me. When I was having to set up the servers  
12       for the election or whenever I was having to get back  
13       into it at the end to tabulate, but not just  
14       constantly, no.

15              Q       And a need never came to change the password  
16       on any of that equipment while you were there, right?

17              A       No.

18              Q       When you provided the report on this to  
19       the -- to the Board, what was the reaction of the Board  
20       that you had to replace this equipment and the password  
21       didn't work?

22              A       Well, I mean, naturally they were surprised  
23       by it.

24              Q       Did anyone express concerns in that meeting?

25              A       Well, the main concern was, was I able, you

1 know, to get the new system up and running and were we  
2 going to be okay in the upcoming election. And, of  
3 course, all that was fine.

4 Q Well, for example, did anyone say, "Hey, this  
5 is kind of weird, we had this weird situation with  
6 Ms. Hampton. Maybe we should look into whether there's  
7 a broader issue here"?

8 A Well, generally speaking, I believe that was  
9 just more or less deferred over to the State because,  
10 you know, having dealt with state investigators  
11 previously, they, I'm sure, knew that there was going  
12 to be a state investigation.

13 Q The Board knew there would be a state  
14 investigation of this password situation, you're  
15 saying?

16 A I'm saying that, you know, they've had enough  
17 experiences with them to assume that there's going to  
18 be an investigation into that. They'd already dealt  
19 with quite a few.

20 Q And why would you assume there would be an  
21 investigation into that?

22 A Because if we take a step, there's an  
23 investigation. I mean, it doesn't take much to get  
24 one. All it takes is one person saying one thing.

25 Q Okay. And understanding the Board would --

1           just file folders. There wasn't really any  
2           significant data that was transferred over.  
3           I'm not sure of the ins and outs as to why or  
4           why not because I'm not an IT guy.

5           MR. CROSS: I see.

6           Q       (By Mr. Cross) That transfer, did they do  
7           that on site at Coffee County or they did that after  
8           they took the server?

9           A       Yes, they attempted to do it on site, but I  
10          think they had some issues.

11          Q       What did they connect to the server to do  
12          that back-door-style transfer?

13          A       I'm not sure what they connected.

14          Q       Did they -- did you see them -- did they have  
15          like a laptop that they connected to the server to  
16          transfer data?

17          A       No, I didn't see a laptop.

18          Q       But your understanding is there were some  
19          files they were able to pull off that EMS server in  
20          some fashion?

21          A       Yes, that's my understanding.

22          Q       And that was something Mr. Patel explained to  
23          you?

24          A       Yes.

25          Q       And do you know what was in those files?

1           A     Like I said, mostly it was just empty files  
2     and just, like, our basic election setup, but there was  
3     not a large cache of information.

4           Q     And where would -- where did that -- when  
5     that information was transferred, what was it  
6     transferred to?

7           A     The new server.

8           Q     So there were some -- there were some files  
9     that were taken off the old EMS server and transferred  
10    to the new server?

11          A     Yes.

12          Q     Okay. Are those files stored in a particular  
13    location on the new server so that you can identify  
14    them as coming from the old server?

15          A     Yes.

16          Q     Okay. Do you remember what that -- what that  
17    folder was called where all those stores were filed on  
18    the server, the new server?

19          A     No. It just -- it just had the election name  
20    from the older election on it.

21          Q     And were those files from the prior server,  
22    were those still on the new server when you left your  
23    position in Coffee County?

24          A     That's correct.

25          Q     When you -- any of the calls that you had

1 members and myself would be in there. And they would  
2 be there basically just to say, yes, if there's an  
3 issue, we all agree that this was voter intent.

4 Q And is that the same setup in Lanier County  
5 when you were there?

6 A Yes, it's the same thing.

7 Q Is it your understanding that's how all the  
8 counties are set up, that the adjudication process  
9 happens in the room with the EMS server?

10 A Yes.

11 Q All right, let me show you something else.

12 (Discussion off the written record.)

13 (Exhibit 5 marked for identification.)

14 Q (By Mr. Cross) All right, grab Exhibit 5, if  
15 you would, please.

16 A Okay, let's see here.

17 All right, I've got it.

18 Q So I just want to make sure we are talking  
19 about the same thing.

20 You said earlier that when you came in as the  
21 elections supervisor in Coffee County, the password for  
22 the EMS that Ms. Hampton had had was still posted to  
23 the screen on her computer, just like you had seen in  
24 that YouTube video. Do you remember that?

25 A Yes, sir.

1 Q And this is a screenshot we took from the  
2 YouTube video. Is this -- is this how you found it,  
3 what's reflected here in Exhibit 5?

4 A Yes, that's correct.

5 Q Okay. And the password that's on Exhibit 5,  
6 that's the password you tried and it didn't work?

7 A Yes.

8 Q Okay. Were you aware that after the November  
9 2020 election, Coffee County had trouble certifying the  
10 election results?

11 A Yes, I do remember that.

12 Q And what are you aware about that?

13 A Apparently they were having trouble getting  
14 their numbers to match up, so they refused to certify.

15 Q And do you understand the report from  
16 Coffee County was that when they ran the paper ballots  
17 through the scanner again for recount, it would  
18 generate a different total number of ballots, of votes,  
19 than what was recorded on the election night?

20 A Yes, I had heard that.

21 Q Was that something you looked into when you  
22 came on, to determine whether there was a glitch or a  
23 problem or a compromise with the system in  
24 Coffee County?

25 A Whenever I had tested the system out, like I

1 said, with logic and accuracy testing, I never saw any  
2 discrepancies between what it was supposed to be and  
3 anything else.

4 Q Okay. So you didn't yourself -- you didn't  
5 participate in any kind of inquiry or investigation or  
6 analysis to determine whether there was a problem with  
7 the Coffee County system based on the certification  
8 challenges they had reported?

9 A Well, being as I got a completely new server,  
10 if there was any issue in that, it would have been  
11 resolved.

12 Q And a new scanner?

13 A I don't believe we got a new scanner. But I  
14 did clean that one because it had never been cleaned  
15 before, and I didn't notice any issues with it.

16 Q The ICC is the scanner, right?

17 A No, the ICC is the computer that's attached  
18 to the scanner.

19 Q Right. Sorry. Sorry, I'm getting mixed up.  
20 The computer attached to the scanner is what  
21 was replaced?

22 A Yes.

23 Q Yeah, and so the EMS server and that computer  
24 were replaced. So, in your mind, if there had been a  
25 challenge like that reported by Coffee County in late



1 2020, replacing those pieces of equipment would have  
2 resolved it?

3 A Those were the only pieces of equipment that  
4 ran, like, complicated software on there. So if there  
5 was an issue, that should have resolved it. I know I  
6 certainly didn't experience any kind of  
7 [indiscernible].

8 Q Okay. So in the time that you were there,  
9 did you ever run a recount after an election?

10 A Let's see. I don't believe that we had to  
11 run a recount because we didn't -- we didn't have a  
12 challenge on it.

13 Q So you were never in the position that  
14 Coffee County was in December 2020 when they counted  
15 an -- they counted the ballots from an election twice,  
16 both election night and then on a recount, to see  
17 whether the tallies were the same? That's not a  
18 situation you found yourself in?

19 A I was not in that situation in Coffee County,  
20 only in Lanier.

21 Q And, sorry, I forgot to ask something.

22 When -- the State has indicated that the --  
23 or the documentation we've gotten from the State  
24 suggests that the -- or indicates that the EMS server  
25 and the ICC were replaced in Coffee County on June 8 of

1       2021, but that sounds much later than you were thinking  
2       because you reached out to Mr. Patel in April.

3               Does that date sound right to you?

4               A       I thought that it -- I thought that it got  
5       replaced in May, but I could be wrong.

6               Q       Okay. Do you recall -- did the State do  
7       acceptance testing on the new EMS server?

8               A       Yes, they did.

9               Q       And did they do that locally on site in  
10      Coffee County?

11              A       Yes. It was -- it was all set up on site.

12              Q       So you were there for that?

13              A       Yes.

14              Q       In addition to the acceptance testing, did  
15      they do logic and accuracy testing?

16              A       They ended up actually, you know, testing it  
17      with the paper ballots just to make sure it scanned  
18      everything okay.

19              Q       And that was all there on site with you in  
20      Coffee County?

21              A       Yes, that's correct.

22              Q       Sorry, I don't remember off the top of my  
23      head. Were there any elections in Coffee County  
24      between the time you started as the supervisor and  
25      June 8?

1 oral, nothing was in writing?

2 A Unless he sent me a text message on the work  
3 phone. That's possible.

4 Q Do you recall whether he sent you a text  
5 message on your work phone?

6 A He may have in reference to that, as far as  
7 when he was coming.

8 Q So sometimes, like when you're dealing with  
9 CES on IT issues, they might shoot you a text?

10 A Yeah.

11 Q On your work phone?

12 A Yes.

13 Q Do you know why they replaced just the ICC  
14 computer and not the scanner itself?

15 A I'm not sure because I don't know what their  
16 policy is.

17 Q So you didn't ask why they were taking the  
18 ICC computer but not the scanner?

19 A No.

20 Q When you came in to Coffee County, one of the  
21 things that you found that had been left behind was a  
22 business card from an organization called Cyber Ninjas,  
23 right?

24 A Yes, that's correct.

25 Q And when you found that, you alerted

1 Chris Harvey to it at the State, right?

2 A Later on I notified him because, honestly, I  
3 didn't even know what it was at the time. I just make  
4 it a practice of keeping all business cards from a  
5 former employee just in case I ever need it.

6 Q I see. So when you first came in on  
7 April 1st, went through documents, files, things in the  
8 office, you found the Cyber Ninjas card at that point,  
9 but you didn't know what it was?

10 A That's correct.

11 Q And then about a month or so later, you  
12 alerted Mr. Harvey to it; does that sound about right?

13 A Yes, that's correct.

14 Q What was it that happened in the intervening  
15 weeks that made you think "I should probably let  
16 Chris Harvey know about this"?

17 A Well, there was a letter -- or email, rather,  
18 from Dominion that circulated around to all the county  
19 offices warning about, you know, third-party actors  
20 possibly trying to gain access to the servers, and  
21 Cyber Ninjas was one of the groups that was mentioned,  
22 and also the situation where they had done the forensic  
23 audit in Arizona was mentioned as an example of what  
24 they might be trying to do. And when I noticed that, I  
25 figured, you know, hey, I've got a Cyber Ninjas card

1 over here; maybe I should forward that along and let  
2 the State take over on that.

3 Q So you emailed Mr. Harvey and let him know  
4 about the card, right?

5 A Yes, that's correct.

6 Q Why did you email him instead of calling him?

7 A Just because I wasn't sure what to do with  
8 it. I had contacted a former supervisor about it and  
9 said, "Hey, this doesn't look good." And he said,  
10 "Well, why don't you go ahead and email Chris and let  
11 him know." So that's what I did.

12 Q So when you came in and you realized that you  
13 couldn't get access to the ICC and the EMS server, you  
14 didn't email anyone about it, you only used the phone,  
15 but when you thought about the Cyber Ninjas card might  
16 be an issue, you emailed. Why treat them differently?

17 MR. DENTON: Object to form.

18 THE WITNESS: Well, just because it was  
19 suggested that I email Chris Harvey, so  
20 that's what I said. I mean, there's no  
21 special, magic sauce to it. It's just how it  
22 happened.

23 MR. CROSS: Okay.

24 (Exhibit 6 marked for identification.)

25 Q (By Mr. Cross) So pull up Exhibit 6, if you

1 would, please.

2 I'm sorry. Was Josh Black the one who  
3 suggested you email Mr. Harvey?

4 A Yes, that's correct.

5 Q Just let me know when you've got this.

6 A I've got it.

7 Q All right. So if you look at the first page,  
8 you'll see there's an email thread there. Do you see  
9 that?

10 A Yes.

11 Q And if you come down to the bottom, there's  
12 an email from you to Chris Harvey on May 7, 2021. Do  
13 you see that?

14 A Yes.

15 Q But it's -- the full email is not there, but  
16 you can see it reads, "The Dominion email today,  
17 pertaining to Cyber Ninjas, was alarming to me. When I  
18 took over at the Coffee County office, the attached  
19 business card was at the base of Misty Hayes' computer  
20 monitor."

21 And then if you scroll down, you'll see the  
22 whole email of what you said. Do you see that?

23 A Yes.

24 Q And then you say, "I thought nothing of it  
25 until I heard about the situation in Arizona with the

1 DOJ. If she did not use them, she was at the very  
2 least in contact." Do you see that?

3 A Yes.

4 Q And then if you go all the way to the bottom,  
5 you'll see a copy of the Cyber Ninjas card that you  
6 sent to Mr. Harvey.

7 A Yes.

8 Q What was the situation in Arizona with DOJ  
9 that prompted your concern?

10 A Well, that was mentioned in that Dominion  
11 email, you know, where the Department of Justice had  
12 come in and stopped that -- stopped them from, you  
13 know, tampering with the equipment. So I just felt  
14 like it would be pertinent to look into that.

15 Part of the reason is -- you can see why that  
16 was sent in email form, is because I scanned the card  
17 just to show, hey, this Douglas Logan guy had a  
18 business card here.

19 Q Got it. Yep.

20 And then -- so do I understand correctly your  
21 concern was you got an -- you got the alert from  
22 Dominion, you understood the situation with DOJ in  
23 Arizona --

24 A Yes.

25 Q -- with Cyber Ninjas, and you thought there

1 at least potentially could be a similar compromise  
2 issue in Coffee County, and so you thought you should  
3 alert Chris Harvey to that? Is that fair?

4 A Yes. And, of course, I was also, you know,  
5 thinking about the situation -- if somebody had come in  
6 and, you know, touched any of the equipment or done  
7 anything.

8 Q Right. And did it occur to you that that  
9 might explain why the password no longer worked on the  
10 ICC and the EMS, that someone like Cyber Ninjas may  
11 have come in and done something?

12 A Yeah, the thought did cross my mind.

13 Q And was that something you discussed with  
14 Mr. Harvey or Mr. Patel or others when they were  
15 looking into the server and replacing it?

16 A Well, when I was talking with them about it,  
17 part of my concern was that, you know, potentially  
18 somebody had done something to that server.

19 Q Did you speak specifically with Mr. Patel,  
20 for example, about maybe it was Cyber Ninjas?

21 A Honestly, I thought that I had sent that to  
22 Chris before they ever got the servers, but it may have  
23 been after that.

24 Q So your thinking is that you sent this email  
25 to Mr. Harvey with the Cyber Ninjas card before they



1 replaced the server and the ICC?

2 A That was what I thought.

3 Q Okay.

4 A Honestly, to be sure about that, I'd have to  
5 see the call log on the phone.

6 Q Right. And that timing would suggest that  
7 you didn't realize that the passwords weren't -- that  
8 the password wasn't working on the server until  
9 sometime after your May 7 email?

10 A That's what I thought, yes.

11 Q So now your recollection is --

12 A Well, I'm not sure which one came first, but  
13 I don't recall having a conversation with them, when  
14 they came, about Cyber Ninjas.

15 Q "Them" being Mr. Patel and Chris from --

16 A Yes, that's correct.

17 Q So you don't recall ever speaking to them  
18 about Cyber Ninjas?

19 A No, I don't recall.

20 Q You only communicated with Chris Harvey?

21 A Yes, that's correct.

22 Q And so Mr. Harvey here writes you back four  
23 days later. You sent your email on a Friday afternoon.  
24 He responds on Tuesday, May 11th. "I think it might be  
25 prudent to see if there has been any contact between

1 the person on the card and anyone in your office and/or  
2 if they have had any access to any of your equipment.  
3 I have let our investigations division and CES know,  
4 and they might follow up with you." Do you see that?

5 A Yes.

6 Q So a few questions on this. Did anyone ever  
7 follow up with you from the State on this issue?

8 A I never heard anything back from anybody at  
9 the State.

10 Q So no further communications from anyone at  
11 the State about the concern that Mr. Harvey notes here  
12 about whether there might have been access to any of  
13 the equipment at Coffee County?

14 A No, I never heard anything else back from  
15 them.

16 Q And you can see on Mr. Harvey's email back to  
17 you, he copies Frances Watson. Do you see that?

18 A Yes.

19 Q And do you recall she was formerly the head  
20 of the investigations unit at the Secretary's office?

21 A Yes, that's correct.

22 Q So you never heard from Ms. Watson?

23 A No.

24 Q Never heard -- you mentioned a number of  
25 investigators that you spoke with during your time at

1 Coffee County.

2 None of those or any other investigator ever  
3 raised any issue with you at all about Cyber Ninjas or  
4 potential access to Coffee County?

5 A No, I never heard from any of them.

6 Q And Michael Barnes here, head of CES, also  
7 copied on your email -- do you see that --

8 A Yes.

9 Q -- never heard from Mr. Barnes about this  
10 issue?

11 A No, sir.

12 Q And, again, the State has provided a document  
13 indicating that the EMS server was replaced on June 8,  
14 so about a month after this, and already we can see  
15 that Mr. Harvey has alerted CES to the Cyber Ninjas  
16 issue. But do I understand correctly that throughout  
17 all of your communications with CES on replacing that  
18 server, no one ever suggested to you that it had  
19 anything to do with the Cyber Ninjas concern or an  
20 improper access concern?

21 A I don't recall any conversation of that.

22 Q So no one from the State ever came to  
23 Coffee County, for example, to look at any of the  
24 equipment there forensically to determine whether there  
25 had been any improper access while you were at that

1 office; is that right?

2 MR. DELK: Object to form.

3 THE WITNESS: Not while I worked  
4 there.

5 Q (By Mr. Cross) No one came in and looked at  
6 any hard-copy files while you were there?

7 A I don't recall anybody coming to look at  
8 anything like that.

9 Q No one spoke with your assistant, to your  
10 knowledge?

11 A No, not to my knowledge.

12 Q No one spoke with any member of the board, to  
13 your knowledge?

14 A As far as the board goes, I couldn't say. I  
15 never heard anything from them about it.

16 Q But if an investigator from the State had  
17 contacted your assistant or a board member about  
18 possible improper access to voting equipment, would you  
19 expect them to let you know that that outreach had  
20 occurred, given you were the elections supervisor?

21 A I would tend to think I would have heard  
22 about it.

23 Q Okay. Did you follow up with Mr. Harvey  
24 after his May 11th email about the Cyber Ninjas card  
25 and potential improper access to the equipment there?

1 point and follow up.

2 Q (By Mr. Cross) So Coffee County continued to  
3 use election equipment -- BMDs, poll pads, printers, a  
4 scanner, a central scanner, polling place scanners --  
5 in elections in 2021, while you were there, after the  
6 head of elections for the State said that there was a  
7 potential access concern that needed to be  
8 investigated; is that right?

9 A We used the same --

10 MR. DENTON: Object to form.

11 A -- poll pads and ballot-marking devices.

12 Q I'm sorry, can you say that again?

13 A We use the same poll pads and ballot-marking  
14 devices and scanners.

15 Q And the same printers, right?

16 A Yes.

17 Q And you said the same scanners?

18 A Yes.

19 Q After the email you got from Chris Harvey on  
20 May 11th, right?

21 A Yes, that's correct.

22 Q If you see here, Ms. Watson sends the email  
23 internally to Pamela Jones within about half an hour of  
24 Mr. Harvey's email. Do you see that?

25 A Is it just further down in this one?

1 Q It's the very top, the most recent email on  
2 the first page.

3 A Yes, I see it.

4 Q And here Ms. Watson, the head of the state  
5 investigative unit at that time, writes, "Can you  
6 contact the County and verify what, if any, contact  
7 Cyber Ninjas had with any election equipment?" Do you  
8 see that?

9 A Yes.

10 Q And you're saying you never heard from  
11 Pamela Jones?

12 A I never heard from anybody asking about  
13 contact with the equipment or Cyber Ninjas. It's  
14 possible that they reached out and asked somebody else.

15 Q Well, it's only you and your assistant  
16 responsible for elections in the state beyond -- or in  
17 Coffee County beyond the Board, right?

18 A Yes, that's correct. I'm just saying it's  
19 possible that they reached out to somebody at the  
20 actual county commissioner's office because, of course,  
21 we have cameras in there but we don't have a terminal  
22 for them on site.

23 Q All right. So you mentioned cameras a couple  
24 of times. I want to make sure I understand that. What  
25 cameras are you talking about?

1 A Just the cameras in the office.

2 Q And that's in the office where you work or  
3 worked?

4 A Yes.

5 Q And what cameras were in the election office  
6 at Coffee County when you were there?

7 A There was one in the front lobby. There was  
8 one over there, let's see, near Sandy Grantham's desk.  
9 And then there was one down in the big room where  
10 there's a portion for early voting.

11 THE WITNESS: My headset is about to  
12 die, so I'm going to have to switch over to  
13 the computer.

14 MR. CROSS: Okay.

15 (Discussion off the written record.)

16 Q (By Mr. Cross) So no -- there was no cameras  
17 in your office?

18 A No, not in that office.

19 Q And no cameras in the room where the EMS  
20 server and the ICC were?

21 A No. I don't -- I don't believe that there's  
22 a camera in the big room where the scanners are.

23 Q And the only access to the room with the EMS  
24 server is through a door specifically to that room, but  
25 they first have to get into your office?

1 received an alert from Dominion about people trying to  
2 get improper access to voting equipment; you  
3 specifically referenced an issue in Arizona where DOJ  
4 was involved and specifically Cyber Ninjas was involved  
5 in these situations, the Dominion alert; and you sent  
6 that on to the head of elections for the entire state  
7 of Georgia. So you certainly had some concern here,  
8 right, that Cyber Ninjas may have been in Coffee County  
9 or at least been in contact --

10 A That they may have been, yes --

11 MR. DELK: Object to form.

12 A -- but I didn't know for sure.

13 Q Right, you didn't know for sure, but you had  
14 a concern about that, and you rightly raised it with  
15 the State?

16 A Yes, that's correct.

17 Q You never heard back?

18 A I never heard anything back other than that  
19 email response.

20 Q When you were -- and I'm going to wrap up  
21 here soon, Mr. Barnes -- when you were in your position  
22 as the elections supervisor, did you ever hear from  
23 anyone that in January of 2021, sometime around January  
24 2021, individuals had come in to the Coffee County  
25 election office and had gotten access to the EMS server



1 guess if they've got something different on paper, then  
2 maybe that's right.

3 Q Okay.

4 A But I could have sworn I had a June election,  
5 though, that I had to do, because we had a primary and  
6 then, of course, we had the November election.

7 Q Okay. All right.

8 Are any -- is any of the equipment in the  
9 room where the EMS server sits, is any of that  
10 equipment connected to the internet?

11 A No.

12 Q Is it -- to your knowledge, has any of that  
13 equipment ever been connected to the internet?

14 A Not to my knowledge, no, and it shouldn't be.

15 Q Have you ever connected a laptop or a  
16 smartphone or a tablet to any of the equipment in that  
17 room?

18 A No, definitely not.

19 Q Sorry, did you say no?

20 A I said no, definitely not.

21 Q Do you know whether anyone else has?

22 A Not to my knowledge.

23 Q You sometimes use flash drives with that  
24 equipment, right?

25 A Yes, that's correct.

1 Q What do you use flash drives for, for  
2 election purposes, to plug into the EMS server or the  
3 ICC?

4 A Well, the State sends us the election project  
5 on a thumb drive, and then we plug that in to download  
6 that information onto there. That's the primary  
7 function for that. You're not supposed to plug any  
8 outside thumb drives into there. There's no reason to  
9 do so, and it can compromise the system.

10 Q And so the flash drives that were plugged  
11 into the Coffee County equipment and the EMS server,  
12 those were provided by the State, to your knowledge?

13 A Yes.

14 Q Is that the same for your experience at  
15 Lanier?

16 A Yes, that's correct.

17 Q How does -- in your experience, how does the  
18 County get the election night results from the ICC and  
19 EMS to the election night reporting system so that they  
20 can upload that to State?

21 A Well, what we -- what we do is -- like I  
22 said, they're networked in together, so we pull the  
23 information that we've gathered from the scanner and  
24 send it over to EMS, then we tabulate that information  
25 together, and then we get an election report for that

1 State provides to upload election files for an  
2 election, in your experience, the County also has flash  
3 drives that it plugs into the EMS to pull down a copy  
4 of election project files after an election, right?

5 A Well, usually it's during the election. But,  
6 yes, once you complete it, you should update that  
7 backup one last time just in case something ever  
8 happened to the server and you needed to  
9 [indiscernible].

10 Q And in your experience, when that happens,  
11 were you using the same flash drive that the State  
12 provided before the election or using a different flash  
13 drive to pull the election project files off?

14 A No, it's a different one.

15 Q And where did you get that flash drive?

16 A This -- these were the black flash drives  
17 that the State originally sent. They sent like a  
18 fairly large box full of them.

19 Q When did those come in?

20 A Before I got there.

21 Q I see. And where -- and so when you got  
22 there, where did you find these flash drives?

23 A The box of flash drives were just in there in  
24 the server room.

25 Q How many were in there approximately?

1 A Maybe 30 or 40, something around that nature.

2 Q You said maybe 30 or 40?

3 A Yes.

4 Q And none of those flash drives had any  
5 election project files from elections preceding you?

6 A No. Those were blank.

7 Q They were all blank.

8 How do you know that all 30 or 40 flash  
9 drives in that box actually came from the State?

10 A Well, I'm not entirely sure that they did,  
11 but it had the -- they were black and had the same  
12 writing on it as the one the State sent, so I assumed  
13 they were.

14 Q I see. Okay.

15 And you were in -- you were the assistant  
16 elections supervisor in Lanier County for the  
17 switchover from DREs to BMDs, right?

18 A Yes, that's correct.

19 Q And was it the same method there? So with  
20 the DRE system, you'd have a flash drive, you'd pull  
21 off the election data onto a flash drive from the old  
22 GEMS server, much like you do with the Dominion system  
23 now; is that right?

24 A Yes, that's correct.

25 Q And when you were in Lanier County and there

1 was a switchover from the DRE system to the BMD system,  
2 you guys already had flash drives on hand to use to  
3 pull the election data off of the new Dominion EMS  
4 server, right?

5 A Well, all of the old equipment associated  
6 with the GEMS server was actually supposed to be turned  
7 in to the State to be kept at a -- you know, Kennesaw  
8 State. So when we got the new equipment in from the  
9 State in Lanier, we also got new black hard drives.  
10 They just sent us as many as they did Coffee.

11 Q I see. So when you were in Lanier County,  
12 there were some new black -- there were some new flash  
13 drives that came in when the BMD system was rolled out?

14 A Yes, that's correct.

15 Q Okay. What happened to the old flash drives?

16 A Presumably, all that got sent back over to  
17 the Secretary of State's office because they asked us  
18 to return all that [indiscernible].

19 Q Do you know for sure that all went back, in  
20 Lanier, or you don't -- somebody else handled it?

21 A We -- well, somebody else handled it, but we  
22 didn't have any old flash drives there when I was  
23 there.

24 Q But when you got to Coffee County, you found  
25 that Coffee County still had a lot of their old GEMS

1 equipment. I think that's one of the things you said  
2 you had to turn back in?

3 A Yeah, they had like some of the old voter  
4 cards and things like that that you were supposed to  
5 turn in back when we switched over.

6 Q Did they have other -- were there any DREs,  
7 was there a GEMS server? What all do you recall from  
8 that system?

9 A No, there were no DREs or GEMS servers there.  
10 It was mostly just the Compaq flash cards and  
11 voter ID -- I mean voter cards, things of that nature.

12 Q Have you ever asked the Secretary of State's  
13 office for any election project files for  
14 Coffee County?

15 A The only ones that we requested was for the  
16 municipal election.

17 Q So that's an election that used the new  
18 replacement server?

19 A Yes, that's correct.

20 Q Did you ever ask for any election project  
21 files from the server they took?

22 A I did go back and say that -- like I told you  
23 before, that we were trying -- somebody had open-record  
24 requested, you know, the ballot images and whatnot and  
25 that I couldn't find any of that and, you know, was

1       there any way I could get it. And I was told no, there  
2       was no way to get it.

3               Q       What happens to the flash drives -- after you  
4       pull the election data off to provide the State or to  
5       keep a copy of that, what happens to those flash  
6       drives?

7               A       Yeah, they're supposed to be maintained along  
8       with all the other election file -- election materials,  
9       as they call it. And usually best practice is to take  
10      a DYMO LabelWriter and print off a label that says, you  
11      know, the -- what election it was, what year and date  
12      it was, and you always want to label them somehow or  
13      another and put them in your boxes [indiscernible].

14              Q       Okay.

15              A       In my course of being there, I haven't found  
16      any of those.

17              Q       Right. And do the flash drives get reused,  
18      so, for example, from one election to the next, so that  
19      you can keep project files in one easy place?

20              A       No. It's supposed to just be for that  
21      specific election, so that way you can keep track of  
22      it.

23              Q       And are you -- in your experience at Lanier  
24      and Coffee County, were flash drives ever reused?

25              A       No. They shouldn't be.

1 Q I know they shouldn't be. Do you recall an  
2 instance where they were?

3 A I never did. I don't know about anybody  
4 prior to me.

5 Q Okay.

6 MR. CROSS: All right, thank you,  
7 Mr. Barnes, I don't have any further  
8 questions. I appreciate your time.

9 THE WITNESS: Okay.

10 MR. CROSS: Why don't we go off the  
11 record.

12 THE VIDEOGRAPHER: The time is 2:08.  
13 We're off the record.

14 (Off the record.)

15 THE VIDEOGRAPHER: The time is 2:09.  
16 We're back on the record.

17 MR. ABNEY: Sorry, just tried to connect  
18 my ear pods.

19 EXAMINATION

20 BY MR. ABNEY:

21 Q Can you hear me okay, Mr. Barnes?

22 A Yes, sir.

23 Q Perfect. Let me know if there's a problem  
24 and I'll switch back to a different microphone, but  
25 usually this works the best.



C E R T I F I C A T E

STATE OF GEORGIA

COUNTY OF COBB

I, MICHELLE M. BOUDREAUX-PHILLIPS, do hereby  
certify that JAMES A. BARNES, JR., the witness whose  
deposition is hereinbefore set forth, was duly sworn by  
me and that such deposition is a true record of the  
testimony given by such witness.

I further certify that I am not related to  
any of the parties to this action by blood or marriage  
and that I am in no way interested in the outcome of  
this matter.

IN WITNESS WHEREOF, I have hereunto set my  
hand this 27th day of July 2022.



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MICHELLE M. BOUDREAUX-PHILLIPS, RPR